

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

April 15, 2003

DIVISION TWO

B156906 People (Not for Publication)
v.
Vanderlinde

The judgment is affirmed.

Boren, P.J.

We concur: Nott, J.
Doi Todd, J.

B158275 People (Not for Publication)
v.
Alfaro

The judgment is modified to strike the five-year enhancement imposed pursuant to section 12022.7, subdivision (b). The superior court is directed to modify appellant's abstract of judgment accordingly and forward the corrected abstract to the Department of Corrections. In all other respects the judgment is affirmed.

Boren, P.J.

We concur: Doi Todd, J.
Ashmann-Gerst, J.

August 15, 2003 (Continued)

DIVISION TWO (Continued)

[illegible]

The true finding as to count 2, the offense of grand theft from the person (Pen. Code, § 487, subd. (c)) is reversed. The order for a theoretical maximum period of confinement of seven years is modified to provide for a theoretical maximum period of confinement of six years four months, consisting of a five-year period for the robbery and two consecutive eight-month periods for the attempted robberies. In all other respects, the order under review is affirmed.

Boren, P.J.

We concur: Doi Todd, J.
 Ashmann-Gerst, J.

DIVISION THREE

Court convened at 9:30 A.M.

Present: Croskey, Acting P.J., Kitching, J., Aldrich, J. and M. Gavinski, Deputy Clerk.

Each of the following:

B160404 People v. Reyes
B155262/B161907 People v. Jackson
B158895 People v. Turner

Argument waived, cause submitted.

B156025 People
v.
Allen R. French

Merits:
Argued by Edward J. Haggerty for appellant and by Margaret Maxwell,
deputy attorney general for respondent. Cause submitted.

DIVISION THREE (Continued)

B156570 Judith Phillips, et al.
 v.
 Crofton Manor Inn, et al.

Merits:
Argued by Colleen Smith for appellants and by Wayne G. Samuel for respondents. Cause submitted.

B157711 Frances Sanchez, et al.
 v.
 City of Los Angeles, et al.

Merits:
Argued by Andrew Chang for appellants and by Katherine J. Hamilton, deputy city attorney and Irwin S. Evans for respondents. Cause submitted.

B157810 Oliver E. Traweek
 v.
 Danny L. Traweek

Appearances:
No appearance by appellant's counsel for appellant and no respondent's brief having been filed (17(b)(1)). Argument waived, cause submitted.

B153842 Asset Recovery Company, et al.
 v.
 Smith Hemion Productions, Inc. et al.

Merits:
Argued by Jacob N. Segura for appellants and by William J. Briggs for respondents. Cause submitted.

B157751 Santa Monica Rent Control Board, et al.
 v.
 Pearl Street, et al.

Merits:
Argued by Michaelyn Jones for appellants and by Rosario Perry for respondents. Cause submitted.

DIVISION THREE (Continued)

B158616 Stanley Zimmerman, et al.
v.
Accredited Home Lenders, Inc., et al.

Merits:
Argued by Alex K. Wodtke for appellants and by Kathryn Karcher for respondents. Cause submitted.

Court recesses at 12:25 .P.M.

Court reconvened at 1:30 P.M.

Present: Croskey, Acting P.J., Kitching, J., Aldrich, J. and M. Gavinski, Deputy Clerk.

Each of the following:

B158485 Children and Family Services v. Roger E. et al.
B160795 People v. John T.
B157639 People v. Sherry Bishop
B155173 People v. Jeffrey L. Jernigan
B158886 People v. Robert Rand
B156874 People v. William D. Ellington

Argument waived, cause submitted.

B158938 San Gabriel Valley Municipal Water, et al.
v.
Department of Transportation, et al.

Merits:
Argued by Jeffrey L. Marcus for appellants and by James Dexter Clark for respondents. Cause submitted.

B150373 Century Surety Company
v.
United Pacific Insurance Company, et al.

Merits:
Argued by David T. Hayek for appellant and by David Simantob for respondents. Cause submitted.

August 15, 2003 (Continued)

DIVISION THREE (Continued)

Court adjourned at 2:50 P.M.

B150812 People
v.
Michael Ray Reed

Filed order denying petition for rehearing.

DIVISION FOUR

B160532 People (Not for Publication)
v.
Johnson

For the foregoing reasons, we affirm appellant's convictions of assault on a peace officer with a semiautomatic firearm and possession of a firearm by a felon, and reverse his conviction of attempted carjacking. We remand for the limited purpose of retrial of the attempted carjacking count and for resentencing thereafter.

Hastings, J.

We concur: Vogel (C.S.), P.J.
Curry, J.

B157572 Stern
v.
American States Insurance Co., et al.

Filed order denying petition for rehearing.

August 15, 2003 (Continued)

DIVISION FIVE

B153937 People (Not for Publication)
v.
Yale Fisher

The judgment is affirmed.

Grignon, J.

We concur: Turner, P.J.
Armstrong, J.

B156720 People (Not for Publication)
v.
Anthony Lira

The judgment is affirmed.

Mosk, J.

We concur: Turner, P.J.
 Armstrong, J.

B160990 People (Not for Publication)
v.
Mack Bonds

The clerk of superior court is directed to prepare and deliver to the Department of Corrections an amended abstract of judgment, which reflects defendant's conviction was pursuant to a jury trial rather than a plea. The judgment is affirmed in all other respects.

Turner, P.J.

We concur: Grignon, J.
Armstrong, J.

DIVISION FIVE (Continued)

B160833 Mariano M. Pasamonte (Not for Publication)
v.
Estela Marie M. Gasperi, et al.

The order is affirmed. Mariano M. Pasamonte, Jr., as executor of the estate of Dionisia M. Pasamonte, is to recover his costs on appeal jointly and severally from Gladys Grace M. Molina and Estela Marie M. Gasperi.

Turner, P.J.

We concur: Grignon, J.
 Armstrong, J.

B154259 Erika K. Luri (Not for Publication)
v.
Robert Greenwald and Heidei Frey Greenwalk, et al.

The judgment is affirmed. Respondent(s) to recover costs.

Mosk, J.

We concur: Turner, P.J.
 Grignon, J.

DIVISION SIX

B157189 People (Not for Publication)
v.
Gabay

The judgment is affirmed.

Coffee, J.

We concur: Gilbert, P.J.
 Perren, J.

August 15, 2003 (Continued)

DIVISION SIX (Continued)

B159620 People v. Worthy (Not for Publication)

The judgment and sentence are affirmed.

Gilbert, P.J.

We concur: Yegan, J.
Perren, J.

B159839 People (Not for Publication)
v.
Seda

The judgment is affirmed.

Perren, J.

We concur: Yegan, Acting P.J.
Coffee, J.

[illegible]

We direct the clerk of the superior court to strike the word "not" appearing on line 22 of the court's order of August 2, 2002, terminating Mario's parental rights. As modified, the order is affirmed. The parties shall bear their own costs on appeal.

Coffee, J.

We concur: Yegan, Acting P.J.
Perren, J.

August 15, 2003 (Continued)

DIVISION SIX (Continued)

B160012 People (Not for Publication)
v.
Rosenbereger

The judgment is affirmed.

Coffee, J.

We concur: Yegan, Acting P.J.
Perren, J.

B159463 People (Not for Publication)
v.
McGinnis

The superior court is directed to amend the abstract of judgment to reflect these modifications and to forward a copy of the amended abstract to the Department of Corrections. As so modified, the judgment is affirmed.

Coffee, J.

We concur: Yegan, Acting P.J.
Perren, J.

B159421 People (Not for Publication)
v.
Joshua S.

The order of commitment to CYA is affirmed.

Yegan, J.

We concur: Gilbert, P.J.
 Coffee, J.

August 15, 2003 (Continued)

DIVISION SIX (Continued)

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The judgment is affirmed.

Yegan, J.

We concur: Gilbert, P.J.
 Coffee, J.

B157704 Burke (Not for Publication)
v.
Goodfriend

The judgment is affirmed. Respondent shall recover costs on appeal.

Yegan, Acting P.J.

We concur: Coffee, J.
Perren, J.

B154418 People (Not for Publication)
v.
Gutierrez

The sentence is vacated. The matter is remanded for trial on the truth of the prior conviction allegations and for resentencing. In all other respects, the judgment is affirmed. After resentencing, the trial court is directed to prepare an amended abstract of judgment and forward it to the Department of Corrections.

Yegan, Acting P.J.

We concur: Coffee, J.
Perren, J.

August 15, 2003 (Continued)

DIVISION SIX (Continued)

B162528 People v. Grady (Not for Publication)

The judgment is affirmed.

Coffee, J.

We concur: Yegan, Acting P.J.
Perren, J.

B162718 People (Not for Publication)
v.
Moran

The judgment is affirmed.

Coffee, J.

We concur: Gilbert, P.J.
 Yegan, J.

[illegible]

The judgment is affirmed.

Gilbert, P.J.

We concur: Coffee, J.
Perren, J.

B160623 Seymour, et al.
v.
La Braque, et al.

Filed order denying petition for rehearing.

August 15, 2003 (Continued)

DIVISION SIX (Continued)

B159874 Carteng
 v.
 Crisp

Filed order denying petition for rehearing.